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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

MICROSOFT CORP.

and

ACTIVISION BLIZZARD, INC.,

Defendants.

Case No. 3:23-cv-2880-JSC

**[PROPOSED] ORDER GRANTING
PLAINTIFF FEDERAL TRADE
COMMISSION'S RULE 62(d) MOTION
FOR INJUNCTION PENDING APPEAL**

Dept.: Courtroom 8
Judge: Honorable Jacqueline Scott Corley

[PROPOSED] ORDER GRANTING PLAINTIFF FEDERAL TRADE COMMISSION'S RULE 62(D) MOTION
FOR INJUNCTION PENDING APPEAL
CASE No. 3:23-cv-2880-JSC

1 Plaintiff Federal Trade Commission (“FTC”) has filed a Rule 62(d) Motion for
2 Injunction Pending Appeal of the Court’s Opinion (ECF 305) in this action.

3 Having considered the FTC’s Rule 62(d) Motion and any response filed by Microsoft
4 Corp. and Activision Blizzard, Inc. (together “Defendants”),

5 IT IS HEREBY ORDERED that the Motion is GRANTED.

6 IT IS FURTHER ORDERED that:

7 [Defendants shall not close or consummate their proposed transaction or a substantially
8 similar transaction until after 11:59 p.m. Pacific Time on the fifth business day after the United
9 States Court of Appeals for the Ninth Circuit issues a final ruling on the FTC’s appeal from this
10 Court’s Opinion (ECF 305);]

11 OR

12 [If, before 11:59 p.m. Pacific Time on July 14, 2023, Plaintiff FTC requests that the
13 United States Court of Appeals for the Ninth Circuit stay Defendants’ proposed transaction
14 pending resolution of the FTC’s appeal of the Court’s Opinion (ECF 305), then Defendants
15 shall not close or consummate their proposed transaction or a substantially similar transaction
16 until after the United States Court of Appeals for the Ninth Circuit decides the FTC’s request
17 for such a stay;]

18 FURTHER ORDERED that Microsoft and Activision shall prevent any of their officers,
19 directors, domestic or foreign agents, divisions, subsidiaries, affiliates, partnerships, or joint
20 ventures from closing or consummating, directly or indirectly, the proposed transaction or a
21 substantially similar transaction; and

22 FURTHER ORDERED that in computing any period of time specified in this
23 attachment, the day of the act, event, or default that triggers the period shall be excluded. The
24 term “business day” as used in this attachment refers to any day that is not a Saturday, Sunday,
25 or federal holiday.

Dated: _____, 2023

Honorable Jacqueline Scott Corley
United States District Judge
Northern District of California

[PROPOSED] ORDER GRANTING PLAINTIFF FEDERAL TRADE COMMISSION’S RULE 62(D) MOTION
FOR INJUNCTION PENDING APPEAL
CASE NO. 3:23-CV-2880-JSC